

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:18-CR-00452-FL-2

This matter comes before the court on its prior order dated August 24, 2020, continuing co-defendant Leonid Teyf's trials to February 16, 2021, and March 29, 2021. (DE 599). Pursuant to that order, defendant was given 14 days to show good cause, if any, why her case should be continued until after that of her former husband. On September 2, 2020, defendant filed her response to the court's order, requesting that her trial be continued.

The court may exclude from speedy trial computation “[a]ny period of delay resulting from a continuance granted by any judge on [her] own motion or at the request of the defendant or his counsel or at the request of the attorney for the Government, if the judge granted such continuance on the basis of [her] findings that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A). In granting a continuance of trial under the “ends of justice” provision, the court must make findings based on a nonexhaustive list of factors, such as the complexity of the case and the time reasonably required by the parties to prepare. See 18 U.S.C. § 3161(h)(7)(B).

Defendant represents that her trial should be continued from its present setting to a date following conclusion of both co-defendant Leonid Teyf's trials. She points to the government's

request that her trial be placed after co-defendant Leonid Teyf, a request in which she joined. She represents that, since the court ordered the defendants' trials be severed, defense counsel have prepared "in a manner that has expected that [Leonid's] trials would take place prior to [hers.]" Defendant further represents to the court that, by preserving the order of trials, she would accordingly have access to the evidence and witnesses offered by co-defendant Leonid Teyf in his trials, which she may not have otherwise.

The court construes defendant's response to its order as a motion to continue trial. For good cause shown, the motion is GRANTED. This defendant's trial, presently scheduled to commence December 7, 2020, now is CONTINUED. Immediately following verdict in the second and final of co-defendant Leonid Teyf's trials, the government is DIRECTED to confer with this defendant and, within seven days of said verdict, file a joint status report identifying alternative dates for trial in the case if this defendant. Should conference with the court be requested in lieu of filing of that report, you shall notify the court by that deadline of the same.

The court finds the ends of justice served by this continuance outweighs the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Accordingly, the resulting delay from this continuance is excluded from speedy trial computation.

SO ORDERED, this the 3rd day of September, 2020.



LOUISE W. FLANAGAN  
United States District Judge